

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

DARRELL PECK, )  
                    )  
                    )  
Movant,           )  
                    )  
                    )  
v.                 )                  No. 4:15CV961 ERW  
                    )  
                    )  
UNITED STATES OF AMERICA,           )  
                    )  
                    )  
Respondent.       )

**MEMORANDUM AND ORDER**

Before the Court is movant's post-dismissal motion to "preserve claim error." As movant filed his notice of appeal in this action on October 5, 2015, this Court lost jurisdiction over this matter after that time. To the extent movant wishes to "preserve claim errors" in his case, he should file any additional motions in his appellate action.

Accordingly,

**IT IS HEREBY ORDERED** that movant's motion to "preserve claim error" [Doc. #10] is **DENIED WITHOUT PREJUDICE**.

**IT IS FURTHER ORDERED** that movant should file any further filings regarding his case with the Eighth Circuit Court of Appeals.

**IT IS FURTHER ORDERED** that no certificate of appealability shall issue.

Dated this 13th day of January, 2016.



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E. RICHARD WEBBER  
SENIOR UNITED STATES DISTRICT JUDGE